

EXECUTIVE SECRETARIAT
ROUTING SLIP

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
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18	CS		X		
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20	D/Security		X		
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Remarks
<i>Cancelled</i>

Executive Secretary
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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506CONFIDENTIAL


May 21, 1986

MEMORANDUM FOR MR. DONALD P. GREGG
Assistant to the Vice President
for National Security Affairs

MR. NICHOLAS PLATT
Executive Secretary
Department of State

COLONEL DAVID R. BROWN
Executive Secretary
Department of Defense

MR. JOHN N. RICHARDSON
Assistant to the Attorney General
and Chief of Staff
Department of Justice


Executive Secretary
Central Intelligence Agency

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RADM JOHN BITOFF
Executive Assistant to the Chairman
Joint Chiefs of Staff

MR. JAMES H. GEER
Assistant Director, Intelligence Division
Federal Bureau of Investigation

SUBJECT: Agenda for the NSPG on Friday, May 23, 1986 (U)

The NSPG meeting will be held in the White House Situation Room at 11:00 a.m. - 12:00 noon, Friday, May 23, 1986, to discuss policy issues on combatting unauthorized disclosures of classified information. This meeting will focus on a discussion of the attached list of proposed policies to reduce unauthorized disclosures (Tab B). Also to be discussed is a proposal by the DCI to seek legislation on unauthorized disclosures. An agenda for the meeting is attached at Tab A. Attendance is principal plus one. (C)


Rodney B. McDaniel
Executive Secretary

Attachments

Tab A Agenda
Tab B List of proposed policies

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NATIONAL SECURITY PLANNING GROUP MEETING

Friday, May 23, 1986
White House Situation Room
11:00 a. m. - 12:00 noon

COMBATTING UNAUTHORIZED DISCLOSURES

AGENDA

- | | | |
|------|---|------------------------------------|
| I. | Introduction | John M. Poindexter
(10 minutes) |
| | o Proposed policy on reducing
unauthorized disclosures | |
| | o Proposed legislation on
unauthorized disclosures | John M. Poindexter |
| | o Administration position on
prosecuting disclosures. | John M. Poindexter |
| II. | Discussion | All participants
(45 minutes) |
| III. | Summary | John M. Poindexter
(5 minutes) |

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PROPOSED POLICIES ON REDUCING UNAUTHORIZED DISCLOSURES

- A disclosures policy to cover backgrounding and so-called "authorized" disclosures. Such a policy would combine elements of NSDD-19, NSDD-84, and a draft NSDD on "controlled executive disclosure." It would attempt to rationalize our declassification procedures, press backgrounding, and would include a requirement and process for recording contacts. The policy would include:

- o Restricting or controlling access of operational and policy personnel to news media, requiring pre-clearance by authorized agency official, as well as documentation of meetings, including subject matter discussed. Consider having such meetings in presence of a public affairs officer of the agency.

- o Requiring the agency head or senior designee to approve backgrounding to media representatives. All such backgrounding should be documented in the agency's files for future retrieval and coordination purposes.

- o Enforcement of the "third agency" rule on release of classified information to other agencies.

- o Restriction of access of news media personnel to controlled location within agency spaces and providing escort when out of controlled areas.

- Appropriate procedures for press spokesman through a process which involves them in setting and implementing policies related to backgrounding. Mandatory coordination with designated intelligence element of each agency prior to responding on intelligence-related questions.

- An investigative policy in which DOJ agrees to proceed with aggressive investigation (including probably a strike task force), even if that investigation does not lead to criminal prosecution (but rather administrative action). Our object is to deter leaks of classified information (have a "chilling" effect). In some cases, this is best done by identifying leakers quickly and firing them for cause. Pursue all avenues of investigation and prosecution, including, where required, polygraph, interview of media personnel and possible appearance before grand jury when a particularly egregious leak has occurred resulting in great damage to the national security or to the lives of American personnel. Do not lead with this aspect of the policy, but rather let it develop as required.

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- An interagency group consisting of senior level policymakers who confer each morning (via secure conference call) on the day's crop of leaks - deciding which really are leaks and which should be investigated and hopefully with a thought as to where the FBI might start looking. This group, chaired by the Assistant to the President for National Security Affairs, would then refer the leak to a senior Justice official who could authorize an immediate investigation. (The Attorney General, of course, could still initiate them on his own, as could other Cabinet Officers.) This group would be supported by a small disclosures analysis staff at the IC Staff (Unauthorized Disclosures Analysis Committee), who would provide support and do longer term analysis of leaks. The group would also designate individuals who could brief the FBI on the details of the leak.

- An aggressive FBI investigative unit poised to swing into action upon word from Justice. The FBI/Washington Field Office is prepared to implement this when directed.

- Education about leaks. Preparation and distribution of a "primer" on leaks to alert government employees to the various types of leaks and the various techniques used by reporters in gaining unauthorized information.

- A public relations plan for senior Administration officials to present our case and respond to likely media criticism.

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